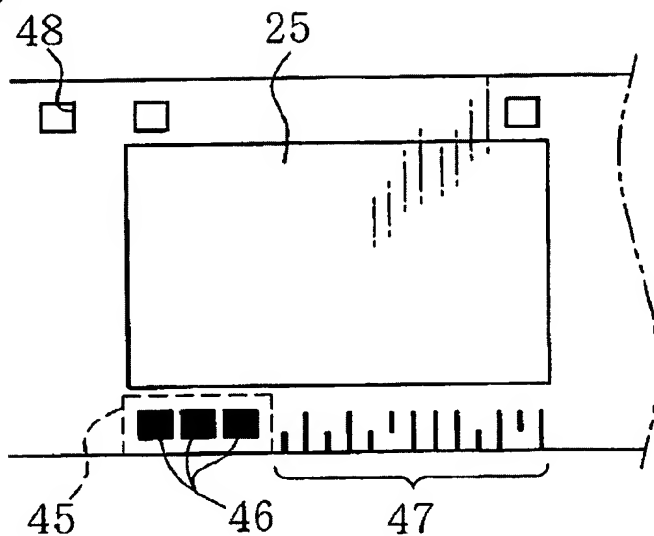
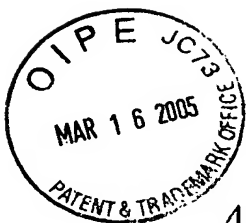


REMARKS

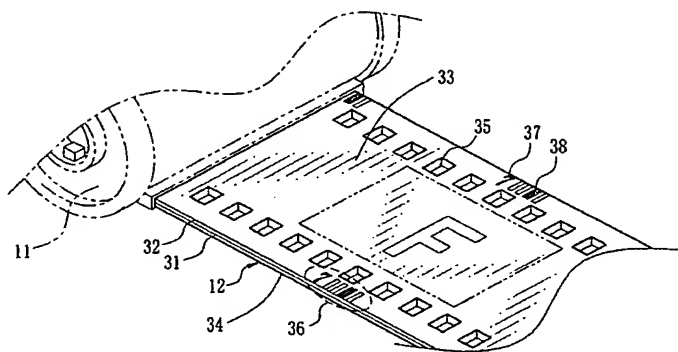
The Official Action objects to claims 3 and 4 based on a typographic error. Applicant has amended these claims as necessary to overcome such objection, the reconsideration and withdrawal of which are therefore respectfully requested.

The Official Action rejects claim 1 under 35 USC §103(a) as being unpatentable over SATO et al. JP 07-064178 in view of KAMATA 2002/0057907. Reconsideration and withdrawal of this rejection are respectfully requested for the following reasons:

The Official Action offers the primary SATO et al. reference for its asserted teaching or suggestion of all of the features of the invention of claim 1 except for the side print recorded as a latent image on the edge of the photo film. It is this feature for which the Official Action offers the secondary KAMATA reference. The KAMATA reference discloses what the Official Action characterizes as a side print in elements 46 and 47. These features are illustrated, for example, in Figure 4 of the KAMATA patent, the pertinent portion of which is reproduced below.



In stark contrast, Figure 6 of the present application illustrates an embodiment of the present invention, as reproduced below.



Some of the distinctive characteristics of the content and arrangement of the side print 36 is described in detail on page 12 of the specification, beginning on line 6, as reproduced below.

The side print 36 may include information of the type of photo film, a lot number, an alphabet and number indicating a film maker and the like, in addition to the number 37 and the barcode 38.

The side print 36 is recorded in the emulsion surface 33 of the photo film 12. Giving attention to a character which is not vertically symmetric, for example "7", as shown in Fig. 6, the orientation of "7" is correct in the emulsion surface 33.

The present specification further states on page 15, beginning on line 14:

In the photo film 12, as described above, the orientation of the photographed image is the same as that of the side print 36. Accordingly, confirming the orientation of the side print 36 makes it possible to easily confirm the orientation of the image, when, for example, an extra printing process is carried out.

As is evident from this passage, the invention clearly contemplates interpretation of the negative when it is being considered for printing after the original printing, such as when negatives are returned to a photo processor for extra printing of a particular image. In this case, the presence of the side print makes it possible for the photo processor to easily confirm the orientation of the image.

It is therefore clear that the present invention contemplates a side print that is recorded in such a manner as to flip vertically or horizontally, for indicating that an image recorded on a photo film is inverted. This feature is clearly recited in claim 1 as originally filed.

Neither of the applied references provides any suggestion of this recited feature. Moreover, the SATO et al. reference specifically describes the use of a "back printing seal" attached to a film cartridge in paragraph [0035]. This feature is presented as a mechanism for determining whether the image is reversed, in sharp contrast to the side print of the present invention as claimed.

Applicant has added new claims 11 and 12. Claim 11 depends from claim 1 and further recites that the side print comprises at least one alpha-numeric character. This characteristic of the invention is described in the application as originally filed in the paragraph spanning pages 11 and 12 of the specification. Claim 12 depends from claim 11 and recites additional characters found in the same paragraph in the specification.

The Official Action rejects claims 2 and 3 under 35 USC §103(a) as being unpatentable over the combination of references applied above, and further in view of ABE 6,388,738. Reconsideration and withdrawal of this rejection are respectfully requested for the following reasons:

The Official Action offers the secondary ABE reference for its asserted teaching or suggestion of the characteristics related to the objective lens element, first eyepiece lens element, and second eyepiece lens element. However, irrespective of the ability of this secondary reference to teach or suggest

that for which it is offered, it nevertheless fails to overcome the shortcomings of the SATO et al. and KAMATA references considered above. Accordingly, applicant respectfully requests reconsideration and withdrawal of this rejection.

The Official Action rejects claims 5 and 7 under 35 USC §103(a) as being unpatentable over the combination of references applied against claims 2 and 3, and further in view of TOBIYO et al. JP 09-197490. Reconsideration and withdrawal of this rejection are respectfully requested for the following reasons:

The Official Action offers the secondary TOBIYO et al. reference for its asserted teaching or suggestion of features related to a target mark formed in the pupil side surface of the first eyepiece lens element, and micro lens disposed in the pupil side surface of the second eyepiece lens element. However, irrespective of the ability of this secondary reference to teach or suggest that for which it is offered, it nevertheless fails to overcome the shortcomings of the SATO et al. and KAMATA references, as detailed in the analysis above in connection with the first obviousness rejection. Applicant therefore suggests that the present obviousness rejection of claims 5 and 7 cannot be maintained.

The Official Action explicitly states that claims 4, 6, and 8 are allowable but for their dependence from rejected base claims. These claims are believed to be in condition for

allowance in their present form, in light of the arguments offered above in connection with claim 1.

In light of the amendments described above, and the arguments offered in support thereof, applicant believes that the present application is in condition for allowance and an early indication of the same is respectfully requested.

If the Examiner has any questions or requires further clarification of any of the above points, the Examiner may contact the undersigned attorney so that this application may continue to be expeditiously advanced.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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